IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

SA.No. 462 of 1995(G)

(AGAINST THE JUDGMENT AND DECREE IN AS.34/1992 OF SUB COURT, ERNAKULAM DATED 27/07/1994 IN OS.1052/1986 OF MUNSIFF'S COURT, ERNAKULAM DTD. 6/03/1992)

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SECOND APPELLANT:RESPONDENT:DEFENDANT:

PURUSHOTHAMAN, S/O.AYYAPPAN,
KOTHATTU HOUSE, SOUTH PARUR,
MANAKUNNAM VILLAGE, KANAYANNUR TALUK. (D I E D)-
***LR'S IMPLEADED:**

A2: MANI PURUSHOTHAMAN, W/O.LATE PURUSHOTHAMAN, AGED 51 YEARS, KOTHATTU HOUSE, S.PARUR, MANAKUNNAM VILLAGE, KANAYANNUR TALUK.

A3. SHAJI, S/O.PURUSHOTHAMAN, AGED 29, KOTHATTU HOUSE, S.PARUR, MANAKKUNNAM VILLAGE, KANAYANNUR TALUK.

A4. HEMALATHA, D/O.LATE PURUSHOTHAMAN, AGED 28 YEARS, KOTHATTU HOUSE, S.PARUR, MANAKKUNNAM VILLAGE, KANAYANNUR TALUK.

A5. UNNI, S/O.LATE PURUSHOTHAMAN, AGED 26 YEARS, KOTHATTU HOUSE, S.PARUR, MANAKKUNNAM VILLAGE, KANAYANNUR TALUK.

(*ADDL.APPELLANTS 2 TO 5 ARE IMPLEADED AS THE LR'S OF DECEASED SOLE APPELLANT AS PER ORDER DTD. 6/07/99 IN C.M.P.NO.1241/99)

BY ADV. SRI.S.SREEKUMAR (ADDL.APPELLANT 2 TO 5)

S.A.NO.462/1995

RESPONDENT:APPELLANT:PLAINTIFF:

KOUSALYA, W/O.LATE VELAPPAN,
KANDASSERIL HOUSE,
SOUTH PARUR,
MANAKKUNNAM VILLAGE,
KANAYANNUR TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.M.GEORGE THOMAS

THIS SECOND APPEAL HAVING BEEN FINALLY HEARD ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

ORDER ON C.M.P.NO.1205/1995 IN S.A.NO.462/1995

DISMISSED

5/09/2007 **SD/- M.SASIDHARAN NAMBIAR,JUDGE**

/TRUE COPY/

P.A.TO JUDGE

KSS

M.SASIDHARAN NAMBIAR,J.

S.A.NO.462 OF 1995

Dated 5th September 2007

J U D G M E N T

Defendant in O.S.1052 of 1986 on the file of Munsiff court, Ernakulam is the appellant and respondent, the plaintiff. On the death of appellant his wife and children were impleaded as additional appellants 2 to 5 being his legal heirs. Additional appellants along with respondent jointly filed I.A.1555 of 2007 to record the compromise stating as per mediation they have settled the dispute and boundary was fixed and disputed tree was cut and its proceeds equally appropriated. They sought to dispose the appeal after recording the compromise. Parties and their counsel have signed in the compromise petition.

2. I.A.1555/2007 allowed and compromise recorded. Appeal is disposed in terms of compromise. Compromise petition forms part of the decree.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.

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M.SASIDHARAN NAMBIAR,J.

JUDGMENT

S.A.NO.462 OF 1995

5th September 2007

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